

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Liam Scanlan et al. Confirmation No. 2154  
Serial No. 10/790,955 Group Art Unit: 2162  
Filed: March 1, 2004 Examiner: Jean Corrielus  
Title: A METHOD FOR VISUALIZING DATA BACKUP ACTIVITY FROM A  
PLURALITY OF BACKUP DEVICES

**Certificate of Transmission Under 37 CFR 1.8**

I hereby certify that this correspondence is being transmitted via electronic submission, attention Mail Stop: Issue Fee,  
Commissioner for Patents, Alexandria, VA 22313-1450 on:  
January 12, 2009  
/Timothy W. Lohse/  
Timothy W. Lohse

RESPONSE TO NOTICE OF DRAWING INCONSISTENCY WITH SPECIFICATION

M/S: Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

Sir:

In response to the Notice of Drawing Inconsistency with Specification of December 19, 2008, the following documents are enclosed to complete the filing of the above-referenced patent application:

1. Response to Notice of Drawing Inconsistency with specification (1 pg.)
2. Copy of Notice to Notice of Drawing Inconsistency with specification (1 pg.);
3. Transmittal of Formal Drawings (1 pg.); and
4. 8 drawing sheets

Applicant inadvertently submitted Fig. 9 and has now removed Fig. 9 so that the formal drawings now consist of Figs. 1-8 as consistent with the specification.

The Commissioner is authorized to charge any deficiencies in fees and credit any overpayment of fees to Deposit Account No. 07-1896.

Respectfully submitted,  
DLA PIPER LLP (US)

Dated: January 12, 2009

By /Timothy W. Lohse/  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/790,955	03/01/2004	Liam Scanlan	2103175-991121	2154
7590 12/19/2008 DLA PIPER LLP (US ) 2000 UNIVERSITY AVENUE EAST PALO ALTO, CA 94303-2248			EXAMINER CORRIELUS, JEAN M	
			ART UNIT	PAPER NUMBER
			2162	
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			12/19/2008	PAPER

## NOTICE OF DRAWING INCONSISTENCY WITH SPECIFICATION

The drawings filed 2-6-08 have been received. However, an inconsistency exists between the drawings and the Brief Description of the Drawings in the specification.

Figures \_\_\_\_\_ are listed in the Brief Description of the Drawings in the specification but not contained in the Drawings.

Figures 9 are contained in the Drawings but not listed in the Brief Description of the Drawings in the specification.

Applicant is required to correct the above-noted inconsistency within a time period of **ONE MONTH or THIRTY (30) DAYS, whichever is longer**, from the mailing date of this Notice, or within the time remaining in the time period set forth in the Notice of Allowability (Form PTOL-37) to file corrected drawings, whichever is longer. **NO EXTENSION OF THIS TIME PERIOD MAY BE GRANTED UNDER EITHER 37 CFR 1.136 (a) OR (b).**

Failure to correct the above noted inconsistency will result in abandonment of the application.

The file will be held in the Publishing Division to await the correction of the inconsistency.

### Return Corrected Drawings/Specification to:

Mail Stop Issue Fee  
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571-272-4200 or 1-888-786-0101  
Application Assistance Unit  
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